

IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

JOSE MARIA MOYA, INDIVIDUALLY §
AND AS ADMINISTRATOR OF THE §
ESTATE OF JOSE MARIA SAUCEDA, JR., §
DECEASED; JOSE MARIA SAUCEDA, §
SR.; MARIA SOLIS; ALICIA MOYA; §
LAURA LOZANO AS NEXT FRIEND OF §
JOEL SAUCEDA, A MINOR, AND §
CHRISTINA M. SCOTT AS NEXT FRIEND §
OF ANGEL SAUCEDA, A MINOR §

vs. §

CITY OF PASADENA, TEXAS, AND §
DETECTIVE MIKE YOUNG, OFFICER §
COPPEDGE (F/N/U), OFFICER TEEPE §
(F/N/U), OFFICER PETER RUFFIN, AND §
JOHN DOES, IN THEIR INDIVIDUAL §
CAPACITIES AND IN THEIR OFFICIAL §
CAPACITIES FOR THE CITY OF §
PASADENA, TEXAS §

CASE NO. _____

JURY DEMANDED

DEFENDANTS' NOTICE OF REMOVAL AND JURY DEMAND

1. Detective Michael Young, Officer Justin Coppedge, Officer Richard Teepee, Officer Peter Ruffin and the City of Pasadena, Texas, are Defendants in a civil action commenced on October 26, 2012, in Harris County, Texas, in the 127th Judicial District Court, Cause No. 2012-64082 entitled *Jose Maria Moya, et al. v. City of Pasadena, Texas, et al.*, and Defendants Young, Coppedge, Teepee, Ruffin and the City seek this removal. All Defendants who have been served join in this removal.

2. Plaintiff's Original Petition and Request for Disclosure is the initial pleading served on Defendants setting forth the claim upon which the action is based. Defendants first received a copy of said Petition on November 2, 2012, and have removed this case within thirty days thereafter.

3. The following constitutes all of the process, pleadings, and orders served upon Plaintiff and Defendants in this action:

- (a) Plaintiff's Original Petition and Request for Disclosures;
- (b) Docket Sheet;
- (c) Citation to Officer Peter Ruffin with return;
- (d) Citation to Detective Mike Young with return; and
- (e) Defendants' Young, Coppedge, Teepee, Ruffin and City of Pasadena, Texas's Defenses and Answer.

4. The action is a civil action of which this Court has original jurisdiction under Title 28 U.S.C. §1331, and is one which the Defendants are entitled to remove to this Court pursuant to Title 28 U.S.C. §1441 in that the action involves civil claims arising under Constitution and laws of the United States thereby triggering this Court's "federal question" jurisdiction.

JURY DEMAND

5. Defendants Young, Coppedge, Teepee, Ruffin and the City hereby demand a trial by jury in accordance with Rule 38 of the Federal Rules of Civil Procedure.

PRAYER

6. Considering the foregoing, Defendants Young, Coppedge, Teepee, Ruffin and the City of Pasadena, Texas, pray that the above action now pending in the 127th Judicial District Court of Harris County, Texas, Cause No. 2012-64082, entitled *Jose Maria Moya, et al. v. City of Pasadena, Texas, et al.*, be transferred from that state court to this federal court.

Respectfully submitted,

/s/ William S. Helfand
WILLIAM S. HELFAND
SBOT: 09388250
NORMAN RAY GILES
SBOT: 24014084

ATTORNEYS FOR DEFENDANTS
CITY OF PASADENA, TEXAS
DETECTIVE MICHAEL YOUNG
OFFICER JUSTIN COPPEDGE
OFFICER RICHARD TEEPEE
OFFICER PETER RUFFIN

OF COUNSEL:

CHAMBERLAIN, HRDLICKA, WHITE
WILLIAMS & AUGHTRY
1200 Smith Street, Suite 1400
Houston, Texas 77002
(713) 654-9630
(713) 658-2553 [fax]

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Notice of Removal and Jury Demand has been forwarded to all parties by certified mail, return receipt requested, on this 29th day of November 2012.

W. Mark Lanier
Lawrence P. Wilson
6810 FM 1960 West
Houston, Texas 77069

/s/ William S. Helfand

1167684
3856-314